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TELEX Nº 23676

DUE DATE Sept 1, 1965
DOCKETED March 8, 1965
BY MEZ
NOTED

OUR REF. JGH/PG A/1277
YOUR REF. 582-421-GB

AIRMAIL
5th March, 1965.

Howard K. Kothe, Esq.,
Messrs. Watson, Leavenworth, Kelton & Taggart,
100 Park Avenue,
New York 17, N.Y.,
U.S.A.

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W L K & T
MAR 8 1965
FILE 582-421 Brea v Butler

Dear Sir,

British Patent Application No. 9677/64
(U.S. Serial No. 263,637). Philip
Morris Incorporated.

We enclose a copy of the first Official Letter issued on the above application, which cites British Patent Specification No. 934,007 against claim 1. This citation is made under Section 9 of the Patents Act, which Section does not lead to refusal of an application, but may lead to the insertion of a reference, in the printed specification, to the cited patent, so as to serve as a warning to the public. In this case, the cited patent is your own and we assume you do not object to the insertion of the reference thereto. We should be glad to know whether we should accept the reference or suggest other ways of dealing with the objection.

Referring to paragraph 4 of the Official Letter, it seems to us that Claim 6 is fairly clear, but we suggest it could profitably be amended to read "6. A process according to Claim 1 wherein the solvent employed for extraction of tobacco contains moisture in such quantity as to increase the proportion of alkaloid extracted from the tobacco".

Please give us your instructions for reply to paragraph 5 of the Official Letter.

Paragraph 6 asks for clarification of references B and C and 29 and 30. Regarding references B and C, we suggest that page 9 line 8 be amended by insertion of the words "Six hogsheads A, B, C, D, E and F are shown in Figure 4, being arranged in order of residence time from hogshead A of shortest

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residence to hogshead F of longest residence"..

Regarding references 29 and 30, we suggest that page 12 be amended to say in line 10 that the brine is taken from a storage vessel 30 and to say in line 15 that effluent solvent is cycled by compresser 29 to heat exchanger 10.

No term has been set by the Patent Office for reply to this Official Letter but the last date for putting the specification in order for acceptance without payment of a fee is 6th September 1966. We should be glad of your instructions no later than September of this year in order that any further official objections may be dealt with in time, and we have marked our files to send you a reminder accordingly.

Yours faithfully,

J. A. KEMP & CO.

J. A. Kemp & Co

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